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C O N F I D E N T I A L SECTION 01 OF 03 PRETORIA 003425

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DEPT FOR AF/S S. HILL

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TAGS: [PREL](#) [PHUM](#) [KDEM](#) [SF](#) [ZI](#)

SUBJECT: SAG APPLAUDS ZIMBABWE CONSTITUTIONAL AMENDMENTS;  
ANALYSTS SKEPTICAL

REF: A. HARARE 858

[1](#)B. HARARE 870

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Classified By: Deputy Chief of Mission Donald Teitelbaum. Reasons 1.4(b) and (d).

[1](#)1. (C) SUMMARY. The South African Cabinet praised the ZANU-PF-MDC agreement on Constitutional Amendment 18 (ref A), calling it a "breakthrough" and "a major step forward." DepForMin Pahad suggested that the accord paves the way for a "political solution that all Zimbabweans will hail." The agreement followed Mbeki's personal intervention with the MDC leadership September 14 and 15. Most South African-based think tank analysts are skeptical, calling the reforms "cosmetic" and questioning why the MDC made concessions without getting anything in return. For Mbeki, the ZANU-PF-MDC agreement is a significant achievement; it demonstrates progress and makes it more difficult for the MDC to boycott the 2008 elections. Many difficult issues remain to be negotiated, and we remain skeptical that Mbeki will be able to achieve his ultimate objective: a stable government led by a "reformed" ZANU-PF, willing to undertake real reform. END SUMMARY.

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Cabinet Welcomes "Breakthrough"  
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[1](#)2. (U) In a statement following its 19 September meeting, the South African Cabinet applauded the "breakthrough" on the Constitutional Amendment 18 in Zimbabwe (ref A). The Cabinet called the approval of the amendments a "major step forward" in addressing the challenges facing that country. The South African Government (SAG) will continue, the statement said, to "assist where we can ... to ensure that these processes result in a lasting settlement."

[1](#)3. (SBU) DepForMin Aziz Pahad similarly commended the approval of the constitutional amendments in his weekly press conference September 19. Pahad optimistically claimed that the development "opens up the possibility" of finding "a political solution that all Zimbabweans will hail." Restating the standard SAG mantra on the Zimbabwe talks, Pahad stressed that the Zimbabweans themselves must solve

their own problems and that South Africans are only there to assist. An "imposed solution," Pahad argued, "can exacerbate the deterioration of the situation with all the negative consequences for the region."

¶4. (U) Pahad separately confirmed that SADC finance ministers will meet "in a few weeks" to discuss proposals to address the economic crisis in Zimbabwe. He also restated SAG opposition to discussing Zimbabwe in the UNSC, arguing that the situation in Zimbabwe is not "a threat to regional or international peace or security."

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Mbeki Squeeze  
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¶5. (C) Despite Pahad's protestations that the SAG will not impose a solution in Zimbabwe, we understand from several sources that Mbeki strongly pressured the two MDC delegations to accept the agreed constitutional amendments during private meetings September 14 and 15. Mbeki met personally with the leadership of the two MDC factions, Morgan Tsvangirai and Arthur Mutambara, at Union Building in Pretoria, as well as the party Secretaries General Tendai Biti and Welshman Ncube, the first time Mbeki has met directly with Tsvangirai for at least a year. Mbeki was joined by Legal Advisor Mojanku Gumbi, Minister of Provincial and Local Government and Zimbabwe envoy Sydney Mufamadi, and Director General in the Presidency Frank Chikane.

¶6. (C) IDASA's Sydney Masamvu, who spoke to Tsvangirai following the talks, told visiting Embassy Harare CDA and PolOff on September 20 that Mbeki stressed in the meetings that he wanted an election in Zimbabwe that "would not be disputed." Masamvu believes that Mbeki wants to finalize the MDC-ZANU-PF talks by the end of October.

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South African-Based Analysts Skeptical  
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¶7. (C) Embassy Harare CDA and PolOff spoke with a range of analysts September 20-21 regarding the recent developments:

-- Elizabeth Sidiropoulos, National Director of the South African Institute for International Affairs (SAIIA), argued that the constitutional amendments are largely "cosmetic" and did not change the "fundamental situation" on the ground. She fears we are headed toward a repeat of the 2002 and 2005 flawed elections. The only reason the MDC agreed to the amendments, Sidiropoulos speculated, was that they felt they had to show good faith in Mbeki and his facilitation effort. The SADC mediation remains the "best option" among a set of bad choices for them.

-- IDASA's Masamvu also questioned why the MDC agreed to the constitutional amendments. The opposition party gave ZANU-PF "everything" it wanted, Masamvu argued, and received virtually nothing in return. For example, the expanded parliament will allow Mugabe to gerrymander seats and expand his patronage network. Mugabe will create new constituencies in rural areas he controls, effectively undermining the influence of both the Mujuru faction of ZANU-PF and the MDC in a new parliament.

-- Sipho Zondi from the Institute for Global Dialogue (IGD), an organization with close links to the SAG, was more optimistic. He believes the agreement is a positive first step and builds momentum for the process. Comparing the SAG mediation efforts in Zimbabwe to the failed effort in Cote d'Ivoire, Zondi noted that facilitation encompasses all the key issues (unlike the highly legalistic Cote d'Ivoire effort), that Mufamadi is a skilled mediator (compared to DefMin Lekota in Cote d'Ivoire), and that the SAG has

consulted widely with key civil society actors (Comment: many Zimbabwe civil society organizations would not agree that they have been truly consulted). Zondi believes ZANU-PF will take a chance on running a relatively free and fair election since they are confident they will win, an assessment Zondi shares.

-- In a roundtable discussion with visiting USAID DHCA/AA Michael Hess, representatives of the National Democratic Institute (NDI), Freedom House, the Electoral Institute for Southern Africa (EISA), and IDASA expressed mixed views on the SADC facilitation effort, with EISA and Freedom House expressing "guarded optimism," and NDI and IDASA being more skeptical. The organizations underscored that their Zimbabwean civil society partners feel excluded from the SADC process. The two South African "consultations" with Zimbabwean civil society, held on August 14 and September 18, have been largely briefings by Minister Mufamadi on the facilitation effort, with limited input from civil society.

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Comment  
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18. (C) The MDC-ZANU-PF agreement on Constitutional Amendment 18 is a coup for Mbeki and his SADC facilitation effort. The inter-party accord demonstrates progress and makes it more difficult for the MDC to boycott the 2008 elections. Holding "credible" elections, the SAG believes, will help pave the way for South Africa's ultimate agenda in Zimbabwe: a politically-stable regime that will reform the economy and end Zimbabwe's international isolation. The SAG believes such leadership can only come from a "reformed" ZANU-PF, ideally with elements of the MDC joining in a "government of national unity."

19. (C) Post recommends that the Department continue to express support for the SADC facilitation effort, but stress that the agreement on Amendment 18 represents only a first step, that further legislative and regulatory reforms are needed, that implementation of agreements is critical, and that a fundamental change in the environment will be necessary for free and fair elections to take place. With respect to the environment, the USG could note with concern

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that recent events in Zimbabwe, including arrests of trade union, political party and NGO activists, do not suggest that the agreement on Amendment 18 heralded in any change in the climate of violence and repression.

19. (U) This message was coordinated with Embassy Harare.  
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